

DAC
IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

SIVIK et al.

Serial No.: 09/699,522

Examiner: J.R. Hardee

Filed: August 19, 2004

Art Unit: 1751

For: COMPOSITIONS AND METHODS FOR USING POLYMERIC SUDS ENHANCERS

TRANSMITTAL OF PETITION TO REVIVE

Attention: Office of Petitions
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Attached is a Petition For Revival of the above-identified application (ATTACHMENT I). Also attached are two Power of Attorney and Change of Correspondence Address documents, signed by each of the two present Assignees (ATTACHMENT II). The response to the last Office action is a continuation being separately filed on the same day as this Petition. A check for the petition fee is also enclosed. A copy of the Continuation Application Transmittal is also enclosed (ATTACHMENT III).

The check for the continuation fee is filed with the continuation. If the US Patent Office requires any further information please do not hesitate to contact the undersigned.

Respectfully submitted,

Date:

August 19, 2004

By:

Anthony P. Venturino

Anthony P. Venturino

Registration No. 31,674

APV/bms

ATTORNEY DOCKET NO. APV31122

STEVENS, DAVIS, MILLER & MOSHER, L.L.P.
1615 L STREET, N.W., SUITE 850
WASHINGTON, D.C. 20036
TEL. 202-785-0100 / FAX. 202-408-5200

THE APPLICANT HERewith PETITIONS
THE PTO TO EXTEND THE TIME FOR
RESPONSE AS REQUIRED TO MAKE THE
ATTACHED DOCUMENT TIMELY FILED.
PLEASE CHARGE THE COST THEREOF
TO DEPOSIT ACCOUNT 19-4375

STEVEN DAVIS MILLER & MOSHER, L.L.P.



ATTACHMENT I

Petition For Revival of the above-identified application

**Petition For Revival Of An Application For Patent Abandoned Unintentionally
Under 37 CFR 1.137(b) (Large Entity)**

Docket No.
APV31122

In Re Application Of: **Mark Robert SIVIK et al.**

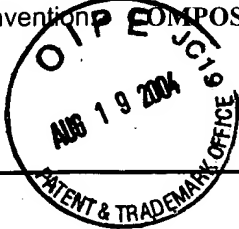
Serial No.
09/699,522

Filing Date
October 30, 2000

Examiner
J.R. Hardee

Group Art Unit
1751

Invention: **COMPOSITIONS AND METHODS FOR USING POLYMERIC SUDS ENHANCERS**



Attention: Office of Petitions
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper response to a notice or action by the Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extension of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee--required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

08/20/2004 HDEMESS1 00000043 09699522

01 FC:1453

1330.00 OP

1. ☒ A proposed reply to the above-identified notice or action:

☐ is enclosed. ☒ was filed on August 19, 2004

The proposed reply is in the form of: Continuation

2. ☐ The issue fee:

☐ is enclosed. ☐ was paid on _____

3. ☒ The abandoned application was a:

☐ design application. ☒ utility application. ☐ plant application.

4. ☐ A terminal disclaimer (and fee) disclaiming a period equivalent to the period of abandonment is enclosed.

5. ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

**Petition For Revival Of An Application For Patent Abandoned Unintentionally
Under 37 CFR 1.137(b) (Large Entity)**

Docket No.
APV31122

In Re Application Of: **Mark Robert SIVIK et al.**

Serial No.
09/699,522

Filing Date
October 30, 2000

Examiner
J.R. Hardee

Group Art Unit
1751

Invention: **COMPOSITIONS AND METHODS FOR USING POLYMERIC SUDS ENHANCERS**

Calculation and Payment of Fees

Enclosed are the following fees:

6. ☒ Petition fee under 37 CFR 1.17(m) in the amount of: \$1,330.00
7. ☐ Fee for amendment in the amount of: _____
8. ☐ Fee for extension of time to respond to Office Action in the amount of: _____
9. ☐ Issue fee in the amount of: _____
10. ☐ Continuing application filing fee in the amount of: _____
11. ☐ Terminal disclaimer fee in the amount of: _____
12. ☐ _____

Total fees enclosed: \$1,330.00

The fee of **\$1,330** is to be paid as follows:

- ☒ A check in the amount of the fee is enclosed.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **19-4375**

**Petition For Revival Of An Application For Patent Abandoned Unintentionally
Under 37 CFR 1.137(b) (Large Entity)**

Docket No.
APV31122

In Re Application Of: Mark Robert SIVIK

Serial No.
09/699,522

Filing Date
October 30, 2000


Examiner
J.R. Hardee

Group Art Unit
1751

Invention: COMPOSITIONS AND METHODS FOR USING POLYMERIC SUDS ENHANCERS

Statement

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.


Signature

Dated:

Aug. 19, 2004

Anthony P. Venturino Reg. 31,674
STEVENS, DAVIS, MILLER & MOSHER, LLP
1615 L Street N.W., Suite 850
Washington, D.C. 20036
Tel: 202-785-0100
Fax: 202-785-0200

I certify that this document and fee is being deposited
on _____ with the U.S. Postal Service as
first class mail under 37 C.F.R. 1.8 and is addressed to the
Mail Stop Petition, Commissioner for Patents, P.O. Box
1450, Alexandria, VA 22313-1450.

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence

cc: Customer #: 24257



ATTACHMENT II

Two Power of Attorney and Change of Correspondence Address documents, signed by each of the two present Assignees



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re the Application of

Mark Robert Sivik et al.

Serial No.: 09/699,522

Filed: October 30, 2000

For: COMPOSITIONS AND METHODS FOR USING POLYMERIC SUDS ENHANCERS

POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned, authorized representatives of the assignees The Procter & Gamble Company, having an address at Miami Valley Laboratories, 11810 E. Miami River Road, Cincinnati, Ohio 45238-8707 and Rhodia Inc., having an address at 259 Prospect Plains Road, Cranbury, NJ 08512-7500, hereby appoint the following additional attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith; Stevens, Davis, Miller & Mosher, L.L.P.; Anthony P. Venturino, Reg. No. 31,674; James E. Ledbetter, Reg. No. 28,732; Thomas P. Pavelko, Reg. No. 31,689; and Peter N. Lalos, Reg. No. 19,789.

Direct all telephone calls to telephone no. 202-785-0100 and faxes to 202-785-0200.

Address all correspondence regarding this application to: Stevens, Davis, Miller & Mosher, L.L.P., 1615 L Street, N.W., Suite 850, Washington, D.C. 20036.

Respectfully submitted,

By:

Print/type name: Kevin E. McVeigh

Print or type title: Assistant Secretary

Date: 08/17/04

For: Rhodia Inc.

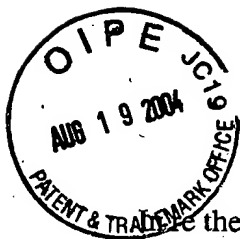
By: _____

Print / type name: _____

Print or type title: _____

Date: _____

For: The Procter & Gamble Company



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re the Application of

Mark Robert Sivik et al.

Serial No.: 09/699,522

Filed: October 30, 2000

For: COMPOSITIONS AND METHODS FOR USING POLYMERIC SUDS ENHANCERS

POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned, authorized representatives of the assignees The Procter & Gamble Company, having an address at Miami Valley Laboratories, 11810 E. Miami River Road, Cincinnati, Ohio 45238-8707 and Rhodia Inc., having an address at 259 Prospect Plains Road, Cranbury, NJ 08512-7500, hereby appoint the following additional attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith; Stevens, Davis, Miller & Mosher, L.L.P.; Anthony P. Venturino, Reg. No. 31,674; James E. Ledbetter, Reg. No. 28,732; Thomas P. Pavelko, Reg. No. 31,689; and Peter N. Lalos, Reg. No. 19,789.

Direct all telephone calls to telephone no. 202-785-0100 and faxes to 202-785-0200.

Address all correspondence regarding this application to: Stevens, Davis, Miller & Mosher, L.L.P., 1615 L Street, N.W., Suite 850, Washington, D.C. 20036.

Respectfully submitted,

By: _____

Print/type name: Kevin E. McVeigh

Print or type title: Assistant Secretary

Date: _____

For: Rhodia Inc.

By: C. Brant Cook Reg. No. 39,151

Print / type name: C. BRANT COOK

Print or type title: Counsel - Intellectual Property Division

Date: August 18, 2004

For: The Procter & Gamble Company



ATTACHMENT III

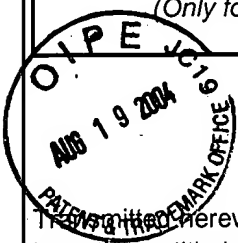
Copy of the Continuation Application Transmittal

UTILITY PATENT APPLICATION TRANSMITTAL (Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
APV31122A

Total Pages in this Submission

TO THE COMMISSIONER FOR PATENTSMail Stop Patent Application
P.O. Box 1450
Alexandria, VA 22313-1450


Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

COMPOSITIONS AND METHODS FOR USING POLYMERIC SUDS ENHANCERS

and invented by:

Mark Robert SIVIK
Jean-Francois BODET
Bernard William KLEUSENER
William Michael SCHEPER
Dominic Wai-Kwing YEUNG
Vance (nmn) BERGERON

If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:
☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09/699,522

Which is a:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No.: 09/320,235

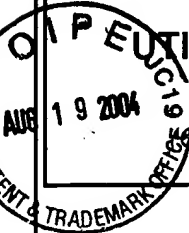
Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____

Enclosed are:

Application Elements

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 121 pages and including the following:
 - a. ☒ Descriptive Title of the Invention
 - b. ☒ Cross References to Related Applications (if applicable)
 - c. ☐ Statement Regarding Federally-sponsored Research/Development (if applicable)
 - d. ☐ Reference to Sequence Listing, a Table, or a Computer Program Listing Appendix
 - e. ☒ Background of the Invention
 - f. ☒ Brief Summary of the Invention
 - g. ☒ Brief Description of the Drawings (if filed)
 - h. ☒ Detailed Description
 - i. ☒ Claim(s) as Classified Below
 - j. ☒ Abstract of the Disclosure



UTILITY PATENT APPLICATION TRANSMITTAL
(Large Entity)

Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
APV31122A

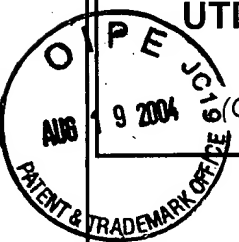
Total Pages in this Submission

Application Elements (Continued)

3. ☐ Drawing(s) *(when necessary as prescribed by 35 USC 113)*
- a. ☐ Formal Number of Sheets _____
- b. ☐ Informal Number of Sheets _____
4. ☒ Oath or Declaration
- a. ☐ Newly executed *(original or copy)* ☐ Unexecuted
- b. ☒ Copy from a prior application (37 CFR 1.63(d)) *(for continuation/divisional application only)*
- c. ☒ With Power of Attorney ☐ Without Power of Attorney
- d. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application,
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☒ Incorporation By Reference *(usable if Box 4b is checked)*
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under
Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby
incorporated by reference therein.
6. ☐ CD ROM or CD-R in duplicate, large table or Computer Program (Appendix)
7. ☒ Application Data Sheet (See 37 CFR 1.76)
8. ☐ Nucleotide and/or Amino Acid Sequence Submission *(if applicable, all must be included)*
- a. ☐ Computer Readable Form (CRF)
- b. ☐ Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ Paper
- c. ☐ Statement(s) Verifying Identical Paper and Computer Readable Copy

Accompanying Application Parts

9. ☐ Assignment Papers *(cover sheet & document(s))*
10. ☐ 37 CFR 3.73(B) Statement *(when there is an assignee)*
11. ☐ English Translation Document *(if applicable)*
12. ☒ Information Disclosure Statement/PTO-1449 ☐ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) *(Should be specifically itemized)*
15. ☐ Certified Copy of Priority Document(s) *(if foreign priority is claimed)*
16. ☐ Certificate of Mailing
- ☐ First Class ☐ Express Mail *(Specify Label No.):* _____



**UTILITY PATENT APPLICATION TRANSMITTAL
(Large Entity)**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
APV31122A

Total Pages in this Submission

Accompanying Application Parts (Continued)

17. ☒ Additional Enclosures *(please identify below):*

Power of Attorney and Change of Correspondence Address (2)
Notice of Claim for Priority

Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)

18. ☐ Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

Warning

An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.



UTILITY PATENT APPLICATION TRANSMITTAL
(Large Entity)

Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
APV31122A

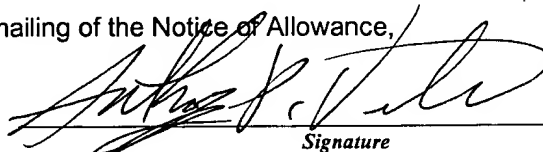
Total Pages in this Submission

Fee Calculation and Transmittal

CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	15	- 20 =	0	x \$18.00	\$0.00
Indep. Claims	4	- 3 =	1	x \$86.00	\$86.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$770.00
OTHER FEE (specify purpose) _____					\$0.00
TOTAL FILING FEE					\$856.00

- ☒ A check in the amount of **\$856.00** to cover the filing fee is enclosed.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **19-4375** as described below.
- ☐ Charge the amount of _____ as filing fee.
- ☒ Credit any overpayment.
- ☐ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).


Signature

Anthony P. Venturino
Reg. No. 31,674 Customer No. 24257

STEVENS, DAVIS, MILLER & MOSHER, LLP
1615 L Street NW, Suite 850
Washington, DC 20036

Dated: August 19, 2004

CC:

Tel.: 202-785-0100 Fax.: 202-785-0200